

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ephraim D'Carus Smith

Docket No. 5:15-CR-269-1FL

Petition for Action on Supervised Release

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ephraim D'Carus Smith, who, upon an earlier plea of guilty to Robbery of a Business Engaged in Interstate Commerce, in violation of 18 U.S.C. § 1951, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on May 5, 2016, to the custody of the Bureau of Prisons for a term of 42 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Ephraim D'Carus Smith was released from custody on February 9, 2018, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Smith recently relocated to a residence within the Western District of North Carolina. The United States Probation Office in the receiving district has standard conditions that they routinely adopt in their supervised release cases. We would request that the court consider adding these conditions to the defendant's special conditions of supervised release.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall refrain from excessive use of alcohol and shall not unlawfully purchase, possess, use, distribute or administer any narcotic or controlled substance or any psychoactive substances (including, but not limited to, synthetic marijuana, bath salts) that impair a person's physical or mental functioning, whether or not intended for human consumption, or any paraphernalia related to such substances, except as duly prescribed by a licensed medical practitioner.
2. The defendant shall submit his/her person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), or other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer and such other law enforcement personnel as the probation officer may deem advisable, without a warrant. The defendant shall warn any other occupants that such premises may be subject to searches pursuant to this condition.
3. The defendant shall provide access to any financial information as requested by the probation officer and shall authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8682
Executed On: July 15, 2019

ORDER OF THE COURT

Considered and ordered this 16th day of July, 2019, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge